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14 NETWORK APPLIANCE, INC.,

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SUN MICROSYSTEMS, INC.,
Plaintiff,
v.
NETWORK APPLIANCE, INC.,
Defendant.

Case No. C 07-05488 JW

**JOINT STIPULATION RE EXTENSION
OF TIME FOR DEFENDANT NETWORK
APPLIANCE, INC. TO RESPOND TO
PLAINTIFF'S FIRST AMENDED
COMPLAINT**

WHEREAS, on October 29, 2007, Plaintiff Sun Microsystems, Inc. filed its complaint in the United States District Court for the Northern District of California and served the Complaint upon Defendant Network Appliance, Inc. on October 30, 2007; and

WHEREAS, on November 2, 2007, Plaintiff Sun Microsystems, Inc. filed its first amended complaint in the United States District Court for the Northern District of California and served the First Amended Complaint upon Defendant Network Appliance, Inc. on November 5, 2007; and

WHEREAS the filing of this Stipulation does not waive any of Defendant's defenses to the Complaint;

WHEREAS the parties agree that Defendant may have an extension of time to respond to the Complaint; and

1 WHEREAS, pursuant to Local Rule 6-1(a), Court approval of this stipulation is not
2 required,

3 It is hereby stipulated between Network Appliance, Inc. and Sun Microsystems, Inc.,
4 through their respective counsel of record, that the last day for Defendants to respond to the
5 Complaint on file in this action shall be December 21, 2007.

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7 DATED: November 16, 2007

Respectfully submitted,

8 WEIL, GOTSHAL & MANGES LLP

9 /s/ Edward R. Reines

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13 DATED: November 16, 2007

Respectfully submitted,

14 DLA PIPER US LLP

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